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15 || [Proposed] Lead Counsel for Plaintiff

19 KALMAN ISAACS, Individually and on) Case No. 3:18-cv-04865-EMC
Behalf of All Others Similarly Situated,)
20) CLASS ACTION
Plaintiff,)
21) DECLARATION OF DANIELLE S. MYERS
vs.)
22) DATE: November 15, 2018
ELON MUSK, et al.,) TIME: 1:30 p.m.
23) CTRM: 5, 17th Floor
Defendants.) JUDGE: Hon. Edward M. Chen
24)

1 I, DANIELLE S. MYERS, declare as follows:

2 1. I am an attorney duly licensed to practice before all of the courts of the State of
3 California and this Court. I am a member of Robbins Geller Rudman & Dowd LLP, proposed lead
4 counsel for Dany David in the above-captioned action. I have personal knowledge of the matters
5 stated herein and, if called upon, I could and would competently testify thereto.

6 2. On November 14, 2018, I received an email from Randi Bandman with an audio file
7 attached. Ms. Bandman informed me that the audio was of today's CNBC show *Fast Money*
8 *Halftime Report* in which Andrew Left was interviewed regarding this case and Tesla.

9 3. I listened to the audio.

10 4. A transcript of the audio file was prepared, which transcript is attached hereto as
11 Exhibit A. I listened to the audio while reviewing the transcript, and believe Exhibit A to be a true
12 and accurate transcription of the audio.

13 5. I searched the CNBC *Halftime Report* website for a video of the same interview, or
14 for a story or transcript of the interview. A video of a segment of the interview, beginning after Mr.
15 Left's comments about his role in this case, is available online at
16 [https://www.cnbc.com/video/2018/11/14/why-the-short-seller-who-hated-tesla-decided-to-buy-the-
17 stock.html](https://www.cnbc.com/video/2018/11/14/why-the-short-seller-who-hated-tesla-decided-to-buy-the-stock.html).

18 I declare under penalty of perjury that the foregoing is true and correct. Executed on
19 November 14, 2018, at San Diego, California.

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21 _____ s/ Danielle S. Myers
22 DANIELLE S. MYERS
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CERTIFICATE OF SERVICE

2 I hereby certify under penalty of perjury that on November 14, 2018 I authorized the
3 electronic filing of the foregoing with the Clerk of the Court using the CM/ECF system which will
4 send notification of such filing to the e-mail addresses on the attached Electronic Mail Notice List,
5 and I hereby certify that I caused the mailing of the foregoing via the United States Postal Service to
6 the non-CM/ECF participants indicated on the attached Manual Notice List.

s/ Danielle S. Myers
DANIELLE S. MYERS

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Mailing Information for a Case 3:18-cv-04865-EMC Isaacs v. Musk et al

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Manual Notice List

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

- (No manual recipients)